

## REMARKS

In accordance with the foregoing, claim 2 has been amended to correct an informality in light of the Claim Objection found on page 2 of the Office Action. Therefore, it is submitted the foregoing amendment does not affect the patentability of claim 2 or the remaining claims.

Claims 1-6, 8-17 and 19-24 are pending and under consideration. Reconsideration is respectfully requested. All of the rejections are traversed below.

Claims 1-6, 8-17 and 19-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Buxton (6,115,025) and DecoTech (DecoTech Design Software Inc.) on pages 2-5 of the Office Action. Claim 1 recites

the first graphical user interface part is automatically reoriented relative to the display in accordance with a change to orientation/location information; and allowing the second graphical user interface part to remain in a same orientation relative to the display regardless of the change to the orientation/location information

at lines 3-6, which the Office Action conceded on page 3 was not taught or suggested by Buxton. Instead, the Office Action asserted page 7 of DecoTech taught what was admitted to be a deficiency of Buxton. Specifically, the "right side" of DecoTech (presumably referring to the right panel shown in both figures on page 7) was cited to allegedly teach "a user may [modify] the objects by changing the orientation", as stated on page 3, lines 12-14, of the Office Action.

Contrary to what is asserted in the Office Action, the figures on page 7 of DecoTech do not indicate any modification of the objects shown. In particular, the captions next to each figures describes a "Select and view" operation shown in the respective figures and both captions are silent with respect to any modifications to the objects shown. Furthermore, section 2125 of the Manual of Patent Examining Procedure states that "[d]rawings and pictures can anticipate claims if they *clearly* show the structure which is claimed" (citing *In re Mraz*, 455 F.2d 1069, 173 USPQ 25 (CCPA 1972), emphasis added). In contrast, the cited figures in DecoTech fail to clearly show any structure allowing any modification to the objects or any change to the orientation of displayed objects, as alleged by the Office Action. What is shown in the figures and described by the captions is merely a way of selecting and viewing objects to be added to a Floor Plan. Therefore, according to what has been cited and the discussion thereof, the Office Action has interpreted DecoTech broader than how one skilled in the art would interpret what is taught by DecoTech and has failed to properly reject all the limitations recited in claim 1.

Furthermore, assuming DecoTech does teach that "a user may [modify] the objects by changing the orientation", as asserted by the Office Action, the reference still falls short of teaching or suggesting a "first graphical user interface part [that] is automatically reoriented relative to the display in accordance with a change to orientation/location information" as recited above. While the Office Action appears to rely on DecoTech to teach modifying an object, modification of an object is not suggestive of reorienting a graphical user interface part automatically relative to a display device. For example, the embodiment discussed in paragraph [0007] of the specification states that the "display may be rotated, where the rotation of the display is sensed, and the sensed rotation can then change the user orientation used for interface-related orientation." Nothing has been cited or found in DecoTech to teach or suggest a change in the display's orientation, let alone a change in a graphical user interface part that is automatically reoriented in relation thereto. Hence, nothing was cited in the Office Action to teach or suggest what was allegedly taught by DecoTech (i.e. modification of an object) would teach or suggest "a first graphical user interface part [that] is automatically reoriented relative to the display" as recited in claim 1.

In view of the above, it is submitted that claim 1 is patentably distinguishable over the prior art and withdrawal of the rejection is respectfully requested. Likewise, dependent claims 2-6 depend on claim 1 and it is submitted that claims 2-12 are patentably distinguishable over the prior art.

Independent method claim 9 recites "automatically orienting an element of the user interface to the user, where another element of the user interface is fixed relative to the user interface both before and after the orienting" at lines 3-5. It is submitted that claim 9 is patentably distinguishable over the prior art for the reasons discussed above.

Independent method claim 11 recites "automatically orienting an element of the user interface to the user according to the inputted orientation/location information and retaining another element of the user interface fixed relative to the user interface both before and after the orienting" at lines 3-5. It is submitted that claim 11 and dependent claim 12 are patentably distinguishable over the prior art for the reasons discussed above.

Independent method claim 13 recites "automatically orienting one of the elements of the user interface relative to the determined user" at lines 3-4. It is submitted that claim 13 and dependent claims 14-17 are patentably distinguishable over the prior art for the reasons discussed above.

Independent apparatus claim 20 recites "where the use orientation remains fixed with respect to a user orientation reference when the spatial orientation of the viewpoint has changed with respect to the user orientation reference" at lines 3-5. It is submitted that claim 20 is patentably distinguishable over the prior art for the reasons discussed above.

Independent apparatus claim 21 recites "allowing one or more interface elements to change in orientation ... while one or more other interface elements remain in a fixed orientation" at lines 1-4. It is submitted that claim 21 and dependent claim 22 are patentably distinguishable over the prior art for the reasons discussed above.

Independent claim 23 recites "first interface element which is automatically reoriented relative to the display in accordance with a change to orientation/location information" at lines 2-4. It is submitted that claim 23 is patentably distinguishable over the prior art for the reasons discussed above.

Independent claim 24 recites "automatically orienting first interface part relative to the display in accordance with a change to orientation/location information" at lines 3-4. It is submitted that claim 23 is patentably distinguishable over the prior art for the reasons discussed above.

The dependent claims, as discussed above, depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 5 emphasizes a change to the orientation/location information for the interface part is determined automatically based on a spatial orientation/location change relative to the display. The prior art does teach or suggest such. It is submitted that the dependent claims are independently patentable over the prior art.

In addition, claims 8 and 19 each recite:

wherein the one or more interface elements oriented by the use orientation comprise at least one of a marking menu, a menu, a scrollbar, a tool palette, a pie menu, a gesture widget, a toolbar, and text; and wherein the other element of the user interface comprises at least one of a menu, a scrollbar, a taskbar, an element of a user shell, an element of a window manager, and an orient-less element

(e.g. claim 8, last five lines). As admitted in the final Office Action mailed March 14, 2007 on page 3, claims 8 and 19 recite patentable subject matter in view of Buxton. While the outstanding Office Action rejects claims 8 and 19 in view of Buxton and DecoTech, it fails to

articulate how those features quoted above are rendered obvious by the combination of Buxton and DecoTech. Instead, the Office Action merely asserts that "claim 8 [and claim 19] [are] rejected with similar reasons as set forth in claim 1, above" in the last line of page 4. Since nothing has been cited or found in Buxton and DecoTech, alone or in combination, that teaches or suggests all that is recited in claims 8 and 19, it is submitted that claims 8 and 19 are patentably distinguishable over Buxton and DecoTech. Withdrawal of the rejection and allowance of these claims is respectfully requested.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: David E. Moore  
David E. Moore  
Registration No. 59,047

1201 New York Avenue, NW, 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501